

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.**

In the Matter of

**CERTAIN FOLDABLE REUSABLE
DRINKING STRAWS AND COMPONENTS
AND ACCESSORIES THEREOF**

Investigation No. 337-TA-1183

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION FINDING RESPONDENTS IN DEFAULT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 8) of the presiding administrative law judge (“ALJ”), finding respondents in default.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2392. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on November 13, 2019, based on a complaint filed on behalf of The Final Co. LLC (“Final”) of Santa Fe, New Mexico. 84 FR 61639 (Nov. 13, 2019). The complaint, as amended, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain foldable reusable drinking straws and components and accessories thereof by reason of infringement of claims 1-12, 14-17, and 20 of U.S. Patent No. 10,123,641. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation named as respondents: Huizhou Sinri Technology Company Limited; Hebei Serun Import and Export Trade Co., Ltd.; Dongguan Stirling Metal Products Co., Ltd.; Ningbo Wwpartner Plastic Manufacture Co., Ltd.; Shenzhen Yuanzhen Technology Co., Ltd.; Jiangmen Boyan Houseware Co., Ltd.; Shanghai Rbin Industry And Trade Co., Ltd.; Jiangmen

Shengke Hardware Products Co., Ltd.; Funan Anze Trading Co., Ltd.; Hangzhou Keteng Trade Co., Ltd.; Shenzhen Yaya Gifts Co., Ltd.; Ningbo Beland Commodity Co., Ltd.; Xiamen One X Piece Imp.&Exp. Co., Ltd.; Hunan Champion Top Technology Co., Ltd.; Yiwu Lizhi Trading Firm; Ningbo Weixu International Trade Co., Ltd. (“Ningbo Weixu”); and Hunan Jiudi Shiye Import and Export Trading Co., Ltd. (“Hunan Jiudi”), all of China. *Id.* at 61639-40. The Office of Unfair Import Investigations (“OUII”) is also named as a party in this investigation. *Id.* at 61640.

Respondents Ningbo Weixu and Hunan Jiudi have been terminated from the investigation based on withdrawal of the complaint. *See* Order No. 7 (Feb. 13, 2019), *not rev’d* by Comm’n Notice (Mar. 9, 2020).

On January 8, 2020 and February 10, 2020, Final moved pursuant to 19 CFR 210.16 for: (1) an order directing the remaining respondents to show cause why they should not be found in default for failing to respond to the complaint and notice of investigation; and (2) an ID finding the remaining respondents in default upon their failure to show cause. *See* Order No. 6 at 1-2 (Feb. 13, 2020). Each of these respondents were served with the complaint and notice of investigation. OUII filed responses in support of the motions. *Id.*

On February 13, 2020, the ALJ issued Order No. 6 requiring the remaining respondents to show cause, no later than February 24, 2020, as to why they should not be held in default for failing to respond to the complaint and notice of investigation. *Id.* at 3. No response was received from any of the respondents. *See* Order No. 8 at 2 (Mar. 3, 2020).

On March 3, 2020, the ALJ issued the subject ID (Order No. 8) finding the remaining respondents in default pursuant to 19 CFR 210.16, for failure to respond to the complaint and notice of investigation. *Id.* at 1-2. No petitions for review were filed.

The Commission has determined not to review the subject ID.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR Part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: March 16, 2020